

MESSAGE NO: 9252113 MESSAGE DATE: 09/09/1999

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-489-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1998 TO 12/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION FOR CERTAIN PASTA FROM TURKEY (C-489-806)

MESSAGE NO: 9252113

DATE: 09 09 1999

CATEGORY: CVD

TYPE: LIQ

REFERENCE:

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CASES: C - 489 - 806

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PERIOD COVERED: 01 01 1998 TO 12 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQUIDATION FOR CERTAIN PASTA FROM
TURKEY (C-489-806)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER (C-489-806) ON CERTAIN PASTA FROM TURKEY FOR THE PERIOD 1/1/1998 THROUGH 12/31/1998.
2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF CERTAIN NON-EGG PASTA IN PACKAGES OF 5 POUNDS (OR 2.27 KILOGRAMS) OR LESS, WHETHER OR NOT ENRICHED OR FORTIFIED OR CONTAINING MILK OR OTHER OPTIONAL INGREDIENTS SUCH AS CHOPPED VEGETABLES, VEGETABLE PUREES, MILK, GLUTEN, DIASTASES,

VITAMINS, COLORING AND FLAVORINGS, AND UP TO TWO PERCENT EGG WHITE. THE PASTA COVERED BY THIS INVESTIGATION IS TYPICALLY SOLD IN THE RETAIL MARKET, IN FIBERBOARD OR CARDBOARD CARTONS OR POLYETHYLENE OR POLYPROPYLENE BAGS, OF VARYING DIMENSIONS.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE REFRIGERATED, FROZEN, OR CANNED PASTAS, AS WELL AS ALL FORMS OF EGG PASTA, WITH THE EXCEPTION OF NON-EGG DRY PASTA CONTAINING UP TO TWO PERCENT EGG WHITE.

THE MERCHANDISE UNDER INVESTIGATION IS CURRENTLY CLASSIFIED UNDER SUBHEADING 1902.19.20 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON ALL SHIPMENTS OF TURKISH PASTA EXPORTED ON OR AFTER 1/1/1998 AND ON OR BEFORE 12/31/1998.
4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

MANUFACTURERS	CUSTOMS ID	PERIOD	RATE
FILIZ	C-489-806-001	1/1/1998-12/31/1998	3.87
MAKTAS	C-489-806-002	1/1/1998-12/31/1998	12.61
OBA	C-489-806-003	1/1/1998-12/31/1998	15.82
ALL OTHERS	C-489-806-000	1/1/1998-12/31/1998	9.38

5. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF ENTRY OR DATE OF DEPOSIT WHICHEVER IS LATER, OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/1998 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRY SUMMARIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/1998 WILL CONTINUE.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT MARIAN WELLS OF THE OFFICE OF CVD/AD ENFORCEMENT, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-6309.
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party